IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.6775 of 2008
BANGA MUSAHAR @ GANGA MUSAHAR
Versus
THE STATE OF BIHAR
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02. 13.05.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused for offences punishable under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner was neither named in the FIR, nor any incriminating article has been recovered from his possession, nor he has been put on test identification parade, although he is in custody since 07.10.2007. Learned counsel for the petitioner further states that no witness has taken the name of the petitioner and he has been implicated only on the basis of suspicion. Learned counsel for the petitioner also avers that another co-accused person with exactly similar allegation, namely Doman Musahar, has already been enlarged on bail on the orders of this court dated 23.11.2006 passed in Cr.Misc.No.32545 of 2006.

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In the aforesaid facts and circumstances, this petition is allowed. Let petitioner, namely Banga Musahar @ Ganga Musahar, be released on bail on furnishing bail bond of Rs.10,000.00 (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur (Bhabua) in connection with Ramgarh P.S.Case No.08 of 2006.

sunil **(S.N.Hussain,J.)**